

EXHIBIT J

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4

5 IN RE: HIGH-TECH EMPLOYEE)
6 ANTITRUST LITIGATION)
7) No. 11-CV-2509-LHK
8 THIS DOCUMENT RELATES TO:)
9 ALL ACTIONS.)
10 _____)
11

12 VIDEOTAPED DEPOSITION OF MASON STUBBLEFIELD
13 ATTORNEYS' EYES ONLY
14 Friday, March 29, 2013
15
16
17
18
19
20
21
22
23

24 Reported By:
25 KATHLEEN WILKINS, CSR #10068, RPR-RMR-CRR-CCRR-CLR

The image consists of a single, uniform black rectangle that fills the entire frame. There are no discernible features, text, or patterns other than the solid black color.

Page: 36

10:43:32 1

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

10:43:34 3

MR. KIERNAN: Object to form. Sorry.

10:43:38 4

Object to form.

10:43:40 5

THE WITNESS:

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

10:43:47 9

BY MS. DERMODY:

10:43:47 10

Q.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10:44:03 17

Q. Okay. And you mentioned that you were

10:44:06 18

involved in the audit process.

10:44:08 19

Was someone else also involved with you

10:44:11 20

reviewing the managers in your area?

10:44:14 21

A.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Page: 38

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[illegible]

11:39:57 21 BY MS. DERMODY:
11:39:57 22 Q. And I think you testified earlier that
11:39:58 23 the compensation, including decisions about
11:40:01 24 equity, [REDACTED]
[REDACTED] [REDACTED]

[illegible]

11:41:11 1

Q. [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11:41:49 16

Q. Okay. What was that situation?

11:41:50 17

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■
[REDACTED] ■

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

11:42:51 9

Q. Okay. And do you recall other

11:42:52 10

situations happening before that?

11:42:56 11

A. I don't recall other situations like

11:42:59 12

that.

11:43:01 13

Q. Is it possible that they happened but

11:43:04 14

you don't know? Is that --

11:43:05 15

A. Sure, it's possible.

11:43:30 16

Q. Are there any other strategies that

11:43:32 17

you're aware Intuit has used to proactively retain

11:43:37 18

key talent?

11:43:40 19

A. Yes.

11:43:41 20

Q. And can you describe those that are

11:43:44 21

compensation-based?

11:43:46 22

A. Most of the others would not be

11:43:48 23

compensation-based.

11:43:49 24

Q. Okay. Are those more work

11:43:54 25

assignment-based?

11:43:56 1 A. It could be work assignment-based,
11:43:59 2 development-oriented, project work, learning and
11:44:03 3 development opportunities.

11:44:18 4 Q. Are there any other compensation-based
11:44:21 5 strategies to retain key talent that you're aware
11:44:24 6 Intuit has used that you haven't already
11:44:26 7 described?

11:44:28 8 A. No, I don't think so.

11:44:28 9 Q. Okay. Were you aware that at some point
11:44:40 10 in time, Intuit had a policy not to recruit into
11:44:44 11 certain companies?

11:44:46 12 A. I'm not aware of any policy like that.

11:44:48 13 Q. Okay. Did you become aware of that at
11:44:50 14 some point in time?

11:44:51 15 A. I'm not aware that Intuit ever had a
11:44:54 16 policy like that.

11:44:56 17 Q. Were you aware that there was a practice
11:44:58 18 at Intuit not to recruit into some companies?

11:45:01 19 A. No. No, I was not.

11:45:02 20 Q. Okay. It's not something you ever heard
11:45:04 21 anyone talk about?

11:45:05 22 A. No.

11:45:10 23 Q. Were you aware that Intuit was
11:45:13 24 investigated by the Department of Justice in
11:45:15 25 connection with recruiting into other companies?

11:45:17 1 A. Yes, I am aware of that.

11:45:19 2 Q. And when did you become aware of that?

11:45:22 3 A. Probably soon after it -- or at the time
11:45:25 4 it became public.

11:45:26 5 Q. Okay. And I'm aware that there's more
11:45:28 6 than one set of investigations, so the only one
11:45:31 7 I'm concerned about is the one involving this
11:45:34 8 case, if that's clear to you.

11:45:37 9 A. Okay.

11:45:38 10 Q. Did you participate in the Department of
11:45:39 11 Justice investigation on behalf of Intuit?

11:45:42 12 A. No, I did not.

11:45:43 13 Q. You weren't interviewed by DOJ?

11:45:45 14 A. No, I was not.

11:46:17 15 Q. That one has already been marked, so I
11:46:19 16 can pass it right to you. That should have the
11:46:22 17 deposition Exhibit 918.

11:46:25 18 Do you see that?

11:46:26 19 A. Yes.

11:46:28 20 Q. Have you seen this document before?

11:46:34 21 A. I have seen it before.

11:46:35 22 Q. Prior to preparing for your deposition,
11:46:37 23 had you seen this before?

11:46:38 24 A. No, I had not.

11:46:39 25 Q. Have you ever talked to Mr. McNeal about

11:49:06 1 at any other companies in the valley about
11:49:09 2 recruiting issues?

11:49:11 3 A. What do you mean by "recruiting issues"?

11:49:14 4 Q. About whether there should be certain
11:49:16 5 people off limits to recruiting across companies?

11:49:19 6 A. No.

11:49:47 7 Q. Let me ask you about Mr. Steve Jobs.

11:49:50 8 Did you have any relationship with him
11:49:51 9 when he was at -- still at Apple?

11:49:58 10 A. No, none at all.

11:49:59 11 Q. Okay.

11:49:59 12 (Whereupon, Deposition Exhibit 2738
11:49:59 13 was marked for identification.)

11:50:10 14 BY MS. DERMODY:

11:50:10 15 Q. The document placed in front of you as
11:50:12 16 Exhibit 2738 should bear an Intuit number on the
11:50:15 17 front cover, -43557.

11:50:19 18 Do you see that?

11:50:19 19 A. Yes.

11:50:19 20 Q. And in the document, I don't think there
11:50:21 21 are page numbers themselves, so bear with me as we
11:50:24 22 go through this.

11:50:27 23 If you look at the document, is this a
11:50:30 24 document or a spreadsheet that you recognize as
11:50:33 25 being used in the compensation area at Intuit?

11:50:43 1 A. So -- yes.

11:50:44 2 Q. And can you explain what this is?

11:50:50 3 A. I can try.

11:50:52 4

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11:52:00 1 table inside that system and how values were set.

11:52:02 2 So it's a screen shot of PeopleSoft.

11:52:05 3 Q. Okay.

11:52:05 4 A. So this document on its own could never
11:52:08 5 have been produced by itself just based on it
11:52:10 6 being a collection of different things.

11:52:11 7 Q. Okay. On that nine blocker control
11:52:17 8 section --

11:52:17 9 A. Yes.

11:52:17 10 Q. -- can you just walk me through what the
11:52:19 11 different columns are?

11:52:28 12 A. I'll try.

11:52:29 13

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED] ■

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11:53:36 12

Q. Okay. I'm not sure if the page that

11:53:42 13

follows is an excerpt from the very last page or

11:53:48 14

these are different things.

11:53:51 15

A. It's similar to what's on the very last

11:53:53 16

page, and so it may have been -- it may have been

11:53:56 17

part of a working product to get to what would end

11:53:59 18

up on that last page. So it's from an Excel file

11:54:02 19

and it was essentially a way to build or manage

11:54:05 20

the targets that got put back into the control

11:54:07 21

table, the nine block control table.

11:54:10 22

This would be the basis for having --

11:54:12 23

having an input document to put those -- those

11:54:16 24

values into the system. [REDACTED]

[REDACTED]

[REDACTED]

XXXXXXXXXXXXXXXXXXXX This is a document

that was used to build the system or to structure

values in the system.

Q. [REDACTED]

114

[illegible]

Page 10 of 10

11:55:48 1

[REDACTED]

11:55:50 2

A. Yes.

11:55:51 3

Q. Okay.

11:55:52 4

A. That's correct.

11:56:38 5

Q. Mr. Stubblefield, the document placed in

11:56:39 6

front of you should have a number in the front,

11:56:41 7

Exhibit 1761.

11:56:44 8

Do you see that?

11:56:44 9

A. Yes.

11:56:47 10

Q. If you'll open to the next page of it,

11:56:53 11

it starts what appears to be a PowerPoint, or

11:56:55 12

something like that, a presentation of some sort.

11:56:58 13

Do you recognize what this is?

11:57:01 14

A. So in looking at the presentation, I'm

11:57:04 15

familiar with it. I don't remember the -- I don't

11:57:06 16

know the exact context of how this was used.

11:57:09 17

Q. If you look on the second page, there

11:57:12 18

are page numbers in the lower left corner.

11:57:16 19

A. Yes.

11:57:16 20

Q. Might be helpful.

11:57:18 21

You'll see that there is a date in the

11:57:19 22

middle where it says January 7, 2005.

11:57:22 23

Do you see that?

11:57:23 24

A. Yes.

11:57:24 25

Q. And do you know in this time period who

14 The dismantling, unsealing, or unbinding
15 of the original transcript will render the
16 reporter's Certificates null and void.

19 x Reading and Signing was requested.

20 _____ Reading and Signing was waived.

21	Reading and signing was not requested.
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22

23 KATHLEEN A. WILKINS

24	CSR 10068, RPR-RMR-CRR-CCRR-CLR
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